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deed, humane in its phraseology ; and were all slave-holders Christians worthy of the name, and disposed to receive in full his construction of their duties, slavery would not be the evil that it is to both parties. But in justifying slavery under his definition, and with restrictions which would make it comparatively harmless, the author is virtually apologizing for slavery as it is, with all its enormities and abuses. Moreover, in defending American slavery as "justified by the law of nature," he tacitly defends the slave-trade; for no "law of nature" brought the Africans to our shores. Had we received the book at an earlier date, we should have given it an extended criticism; but there is little need of it, for it is too late in the day to justify slavery to any minds but those whose interest has already furnished them with satisfying arguments.

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ART. IX.—*The Rules of Evidence Stated and Discussed.*

By JOHN APPLETON, Justice of the Supreme Judicial Court of Maine. Philadelphia : T. & J. W. Johnson & Co. 1860.

THERE is not much affinity between law-calf and sentiment, yet the aspect of this book has touched a chord of feeling which runs far back into the past. It recalls youthful aspirations, early labors, and faces visible no more on earth. The substance of the work is not new to us. Among the lawyers who have passed the half-way house in the journey of life, there may be some who remember a series of articles on the Rules of Evidence which appeared in the American Jurist and Law Magazine, some thirty years ago. They attracted a good deal of attention in that limited public which a legal periodical addresses. The members of a profession reared upon the milk of prescription, and trained to regard everything right that is established, were startled by the apparition of a bold innovator, who would take nothing upon trust, and insisted that all rules, however time-honored, should produce their credentials and passports. But those in whom accurate discrimination and

just discernment had not been obliterated by the pressure of habit, recognized in the then unknown writer one of those vigorous and independent minds from which the science of jurisprudence derives its vital force and progressive movement, and without which it would decline into the condition of a mummy or a petrifaction. His articles were written in the spirit of uncompromising reform, but not in the spirit of indiscriminate destructiveness. The author was a protestant, but not an unbeliever; an iconoclast, but not a fanatic. He was a skilful surgeon, prepared to amputate a diseased limb, or cut off an unsightly excrescence, but not an executioner seeking to mangle a healthy and symmetrical form. He showed that he possessed that accurate knowledge of the law as it is, which is the first requisite in him who assumes to make it what it should be. His courage was not the hardihood of ignorance, but the deliberate valor which had weighed alike the resources of attack and defence. He had evidently been a student of Bentham, but had studied him with an independent mind, reproducing his opinions rather as a representative than as an attorney.

These articles were written by John Appleton, at that time a young lawyer in Bangor, in the State of Maine, and looking to the law for bread. It was well for him that to the general public his communications were almost "as good as manuscript." It was well for him that his clients did not know with how resolute a spirit he assailed venerable abuses, and sought to remove deep-bedded obstructions from the path of justice. The natural instincts of litigants would have turned their steps aside from the office of one who bore the questionable reputation of a reformer. But his contributions to the literature of his profession were hushed up among friends; and to the men of business around him he appeared a safe counselor, diligent in service, faithful to his trusts, with a practical understanding, moved by an energetic will. His rise at the bar was steady and sure; and when, in 1852, he was elevated to a seat upon the bench of the Supreme Court of Maine, it was with the full consent and approbation of his professional brethren.

The volume before us is made up mainly from the articles

originally contributed to the American Jurist, of which we have just spoken, and from others, similar in scope and purpose, prepared for other periodical publications. It appears under the twofold sanction of mature age and official station. The process by which the reformer is transformed into the conservative is familiar enough to all who have studied the natural history of the human mind ; and it is but one illustration of a general law, that the most fervid and headlong of innovators should harden into the most bigoted upholder of existing abuses. That Judge Appleton in the ripe autumn of his life is faithful to the convictions of his early prime, — that experience has confirmed the conclusion to which he was early led by patiently following a few simple principles to their ultimate results, — is not only honorable to his consistency, but it gives a substantial value to his opinions themselves. Had he changed his views at all, the same manliness of mind which inspired him to speak so boldly when prudence or the love of ease would have counselled silence, would have prompted him to make a frank acknowledgment of his conversion.

So, too, the fact that the author is one of the judges of the Supreme Court of Maine is not without its weight, with the popular mind at least, in estimating the value of his opinions. Cavillers cannot use the ready argument, that the energy with which defects are pointed out, and reforms are commended, is quickened by the bitter feeling which flows from ill-success. At the bottom of the common mind there lurks an impression that all practical men are content with things as they are, and that all reformers have a touch of the visionary in them. The State of Maine gives birth to men who have strong minds in strong bodies ; there are and always have been many such at the bar of that State ; and no man can there make his way to a seat upon the highest judicial bench without having given proof of those substantial and serviceable qualities of mind, about the value of which there can be no more question than about that of the coin that circulates from hand to hand. No one can say that we have here the closet speculations of a dreamer who has never tried the rules which he questions, or the ungracious strictures of a disappointed aspirant who attacks the science which has denied him its honors and rewards,

like an unsuccessful lover disparaging the beauty which he could not win. Here is a reformer as philosophic and consistent as if he had never argued a case or taken a fee, and yet who has been as successful a practitioner as if he had gone through his professional life on the safe plan of Kenyon or Eldon,—opening his mouth very wide for fees, and shutting his eyes very close against abuses.

But it is time for us to tell our readers more distinctly and particularly what this book is. It is not a treatise on the law of evidence, like those of Starkie and Greenleaf, setting forth the rules of evidence as they actually exist, and the reasons on which they rest, together with copious references to the cases in which they have been expounded and applied. It comprises such a general statement of the rules and principles of evidence as may serve as a foundation for a searching discussion of their wisdom, their expediency, and their fitness to accomplish the ends and objects for which they were formed. By the rules and principles of evidence we mean those of the common law, unmodified by the many changes which have, from time to time, been introduced by legislative action, both in England and America. Judge Appleton, as we have already said, is a resolute and consistent reformer. In his brief Preface he lays down the rules or formulas which he applies to his subject:—

“ All persons, without exception, who, having any of the organs of sense, can perceive, and perceiving can make known their perceptions to others, should be received and examined as witnesses. Objections may be made to the credit, but never to the competency, of witnesses.

“ While the best evidence should always be required, the best existing and attainable evidence should not be excluded, because it is not ‘the best evidence of which the case in its nature is susceptible.’

“ The best mode of extracting testimony, orally, in public and before the tribunal which is to decide upon the facts in dispute, should be adopted on all occasions, and before all courts, when practicable. The only exception to the universality of this rule is one arising from special delay, vexation, and expense in its observance, as in case of sickness, or the absence of witnesses.”

Judge Appleton’s book is the application of these principles to the law of evidence, as gradually formed in the courts of England, and adopted in our own. Whatever may be the

reader's opinion as to the soundness of his conclusions, no one can read his treatise without a high respect alike for the intellectual and the moral qualities which it reveals. He is the very model of a reformer: earnest, patient, consistent; but entirely free from the bitterness of spirit and the offensive assumption of superiority by which zealous reformers are so apt to prejudice the cause to which they are devoted, and to postpone the changes which they desire to accomplish. His style is nervous, pointed, and condensed; occasionally relieved by a touch of humor, but not tinged with acrid sarcasm, or weakened by undignified flippancy. His intellectual and unimpassioned method of treatment has the advantage of not rousing the passions in opposition to his views. His love of truth, too, is not stained by any blot of self-love. In pointing out the errors and defects of the law, he takes no thought of winning admiration on account of the eloquence and ingenuity with which his conclusions are enforced. It is impossible for a book so earnest as this to be more entirely impersonal; the light which the author throws upon his subject has not caught any tinge from the transparent medium through which it has passed.

In paying the debt to his profession so generously as Judge Appleton has done by the publication of this treatise, the value of the obligation is enhanced by the fact that the claim has been discharged in a coin not very common among lawyers. The quality of matter called inertia, by virtue of which all bodies have a tendency to continue in the state or condition originally belonging to them, whether of motion or rest, until some greater force, propelling or resisting, intervenes to change it, has its parallel in a law of the mind, by virtue of which the average man finds in the mere existence of a principle, usage, or institution a sufficient argument in favor of its continued existence. In its general workings the law is valuable; and it is only in its excess, or its faulty application, that it does mischief. The difference between the enlightened reformer and the obstinate bigot is merely the difference between knowing and not knowing where the rule ends and the exception begins. In vulgar minds this principle degenerates into the most absurd and ludicrous opposition to all forms of progress.

"I hate the steamboats," a Greenwich pensioner once said ; "they are contrary to nature." The remark was so far true as that it was contrary to his nature. All professions and occupations naturally give to the minds of those who follow them a bias in favor of the methods in which they have been trained. This is particularly true of lawyers, because respect for authority is by daily habit and practice wrought into the fabric of the mind ; and by this respect for authority, abuses and absurdities come to be protected no less than the essential principles of justice. A conveyancer, who has passed the best years of his life in engrossing deeds upon parchment, will with great difficulty admit that a piece of real estate can be conveyed by an instrument upon paper, partly in print and partly in ordinary handwriting. The very proposition to make the change disturbs his tranquillity and discomposes his spirits. His reason, if he summons it to his aid, might reassure him ; but the difficulty is, that his mind is under the control, not of his reason, but of certain involuntary habits, the growth of usage, unconsciously exerted, like the movements of the hand in a skilful player upon an instrument. Thus where we find in the same person the combination of a good lawyer and a good law-maker, we may be sure that we have fallen upon a mind of a high and exceptional order. During a debate in the House of Lords, June 13, 1827, Lord Tenterden is reported to have said "that it was fortunate that the subject (the amendment of the laws) had been taken up by a gentleman of an enlarged mind (Sir Robert Peel), who had not been bred to the law ; for those who were rendered dull, by habit, to many of its defects."

The case of Lord Eldon is a very strong one in support of Lord Tenterden's remark. He was a great lawyer, and a great judge ; a man of a very vigorous understanding, and of a kindly heart ; yet in judging him solely by his career as a legislator in the House of Lords, one would be justified in pronouncing him a man of very narrow mind, and of a cruel and merciless temper. Though warmly attached to Sir Samuel Romilly, he persistently resisted every effort of that great and good man to mitigate the barbarous severity of the English criminal law as it then stood. In 1810, he successfully

opposed a bill which had passed the Commons to abolish the punishment of death for the offence of privately stealing in a shop to the value of five shillings. So, in 1824, he succeeded in throwing out a bill which allowed dissenters to be married by their own pastors, in their own places of religious worship, lawfully licensed. Though it was supported by the Archbishop of Canterbury, Lord Eldon said of the bill that he thought a worse one had never been submitted to Parliament. At this point of time it is difficult to believe that a man of sound and disposing mind and memory could have entertained such a horror of reform.

Judge Appleton presents a remarkable instance of a good lawyer whose mind has not been “subdued to what it works in,” but who, on the contrary, has kept his free and independent judgment unaffected alike by his legal acquisitions and his professional distinctions. At this moment, from his judicial eminence, he throws upon the law he has been so long practising and administering the same sharp, penetrating, and critical glance which he threw upon it when, in the ardor of youth, he contrasted it with the dreams of ideal excellence which he had brought from the contemplations of philosophy and the studies of literature.

In Judge Appleton’s mind we see nothing of the warping and harrowing influence of professional studies and professional occupations. He has kept in all its original force that intellectual faculty which distinguishes the essential from the accidental, the substantial from the formal, the healthy growth from the diseased excrescence. Before the judgment-seat of this faculty he summons the rules of evidence, as practised in the courts of common law, to show cause why they should be retained; and such as cannot defend themselves before this tribunal of primitive and unadulterated reason, are dismissed to summary execution. The point from which he starts, and which he keeps constantly in view, is a consideration of the nature of courts of justice, and the objects of trials therein. What is a court of justice? What is the trial of a case? In the answers to these questions, and in the inferences to be legitimately deduced from those answers, we find the scope and purpose of the work before us.

When we enter a court-house during the progress of a cause, we perceive at once a certain amount of what may be called formal and ceremonial proceedings. We see one or more judges seated apart, and in most countries clothed in a peculiar garb, intended to address the mind through the eye. In most countries, too, the advocates, or barristers, wear a costume which distinguishes them from others who may be present. We see one or more functionaries, whose business it is to maintain order; and others, who are appointed to keep a record of the proceedings. In states where the common law prevails, and in hearings of issues of fact, we see twelve men, seated together, who constitute what is called a jury. These external forms, the grave silence that prevails, the respectful manner in which the judge is addressed by the counsel, the stately and ceremonious way in which the intercourse is maintained between bench, bar, and jury, the absence of everything light, trivial, and sportive, the atmosphere of gravity and seriousness which pervades the place,— all impress the imagination and imbue the mind with that spirit of indiscriminate reverence which shrinks from examination and analysis. But when we do examine and analyze, we find that all this state and solemnity are intended to facilitate the investigation of truth, and to aid those who are charged with the duty of getting at the truth, in a given case, in the performance of that function. Everything which does not contribute to this result is idle pageantry and superfluous parade. There is no peculiar mystery in the trial of a cause; a court of justice merely does in a stately way, and before the public, what every father, every schoolmaster, every head of an industrial establishment, is doing every day, in private, without spectators, and informally.

Such being the nature of a court of justice, such being the objects of the trial of a cause, it would seem to follow, as an irresistible inference, that every rule which aids us in the investigation of truth should be adopted, and that every rule which obstructs that end should be rejected. But when, in the light of this principle, we come to examine the rules of evidence as set down in the common law, we find the formula sometimes departed from, and sometimes actually reversed;

that is to say, a court of justice, as guided by the common law, approaches the investigation of issues of fact, so hampered by unreasonable rules of exclusion that one might suppose the object was actually to prevent the finding of the truth, and not to promote it. Let us illustrate this in a single point ; and to do this, let us go back to one of those functions or relations in common life to which we have just adverted, as imposing upon those who sustain them duties analogous to those of a court of justice. Let us suppose a schoolmaster called upon to investigate a case occurring between two of his pupils ; it may involve a question of property, or a question of personal right,—one boy may have stolen another boy's marbles, or a large boy may have bullied a small boy. What would be the first step in the natural or logical course of inquiry in such a case ? Of course, it would be to summon the parties themselves before him ; to hear first the complainant's story, and then that of the accused ; then to call in other witnesses to the facts ; and finally to determine the question upon the preponderance of all the testimony. In many cases the evidence of the parties themselves, patiently and skilfully extracted, would furnish all the elements necessary to a decision. But what should we say of the teacher who, under the foregoing circumstances, should begin his investigation by an exclusion of the parties themselves, who know, of course, all the facts in controversy, and who are the only persons who do know them all ? Should we not liken him to a runner who should prepare himself for a race by putting a pair of leaden soles upon his shoes, or to a wrestler who should begin the struggle with his antagonist by tying one of his hands behind him ? But this is what the common law does ; and courts of justice have for centuries been trying cases between man and man, with light carefully excluded from that source from which alone conclusive information can be drawn ; and it is only within a few years past, first in England, and next in a few States of our own country, that the common-law courts have conformed themselves to the natural rules which shape the investigation of disputed facts everywhere else.

The admission of parties to testify, is only transferring to common-law proceedings a rule which has long prevailed, with

certain modifications and limitations, in equity hearings. It is, however, a radical change ; and it has hardly been long enough, and generally enough, adopted to enable us to form a correct conclusion as to its practical operation,—especially as nearly every member of the bar who has competent opportunities for observation started with a decided bias either for or against it, and is thus indifferently qualified for an impartial judgment. We have an impression that the profession in England approve of it more generally than they do in such States of our own country as have tried it. While it is very doubtful whether the innovation would ever have been adopted, had it been left to the members of the bar themselves to determine, it is certain that its progress is now onward, that the States which have made experiment of it will not abandon it, and that those which still stand out against it will, sooner or later, yield, and wheel into the rank of reform. We must, therefore, accept it as a fixed fact, and make the best we can of it. We have little doubt that it will prove in the long run to work well, and to bring a preponderance of good with it. The most sanguine reformer must not expect unalloyed and unqualified benefit from his improvements. The admission of parties to testify undoubtedly increases the amount of perjury ; but, on the other hand, their exclusion as undoubtedly leads sometimes to erroneous decisions, and thus interferes with the primary end of courts of justice. But, as an eminent Massachusetts judge lately remarked in a charge to a jury, the admission of parties imposes new and grave trusts upon jurymen, and makes their position more difficult and responsible than before. They are now called upon to decide between conflicting testimony which is equally of the highest class, and to determine between statements often totally irreconcilable,—either of which, if uncontradicted, would be decisive of the point at issue ; and this, we hardly need say, requires the exercise of more than average judicial faculties. A more frequent occurrence of divisions in juries is one of the results likely to ensue from the admission of parties to testify.

The exclusion of witnesses on the ground of pecuniary interest in the result of the case is but a limited application of

the rule which excludes parties themselves ; the principle in both being that untruth — want of integrity — is the necessary result of a certain amount and degree of bias and prepossession. The plaintiff and defendant cannot take the stand because their interest in the result is so great that it must inevitably tempt them to perjury ; and the prospect of pecuniary gain or loss is, in like manner, a cause of exclusion, on the ground that such an interest is likely to lead to perjury, and will lead to it in a majority of cases.

The fourth chapter of Judge Appleton's work — in which he discusses the exclusion of witnesses on the ground of pecuniary interest — is one of his best ; and if any one, after reading it, can have any doubt remaining as to the absurdity of the rule, his case is indeed hopeless. Wherever this form of incompetency has been removed by legislative enactment, we believe that there is but one sentiment as to the wisdom of the change, and but one feeling of relief at having escaped the inconveniences of the old rule,—the loss of precious time which the discussions growing out of it involved, the solemn and yet contemptible farce by which the finally excluded witness was let in on the strength of a release given on the spot, and the absolute frustration of justice where the defect could not be so purged.

Judge Appleton's treatment of incompetency of witnesses from infamy of character will commend itself to the reader from its thoroughness, its fairness, and its rigorous common-sense ; and few candid minds can fail to assent to his conclusion, that this is a defect which should only affect the credibility of the witness, but not stamp him with incompetency. But in his bold assault on the rule which excludes a witness from defect of religious principle, he will not find, and cannot expect, an unqualified assent. Practically, the question is one of very little consequence ; since, happily, the number of those whom this rule shuts out is so very small, that it is the rarest thing in the world that a case arises in which the application of the principle works any substantial injustice, or denies any substantial justice. The heat with which the discussion has been carried on arises from the importance of the principles involved, and not from the magnitude of the results produced.

There are considerations on both sides of the question. Looking at the logical understanding alone, there seems to be a great preponderance of reasons why the infidel should be admitted, and the objection go to his credibility and not to his competency; and this side of the argument is presented by Judge Appleton with great force, and without the slightest tinge of irreverence. But the objections come from those religious sentiments and convictions of the human soul which cannot so easily take shape and utterance. The feeling is more deep than articulate. There is something shocking to the spirit of religious reverence in seeing a notorious atheist go through with what to him must be the solemn farce of appealing to the God in whose existence he does not believe. It is true, as Judge Appleton says, that the oath itself may be dispensed with, and a lower form of obligation may be used, which yet to the witness may be the highest; but the associations of the common mind are not so easily divorced, and the repugnant feeling will be awakened in the one case as well as the other. Naturally enough, the injustice of the rule of exclusion is illustrated by a reference to a very extreme case. An imaginary atheist of the purest life and conversation is called into existence: he is clothed with all the virtues; he has the decalogue stamped upon his countenance; his word is confessedly as good as his bond; such a man is offered as a witness, and excluded. Is not this hard? Is it not cruelly unjust to the litigant party, who perhaps loses his cause because a man whom the jury would have implicitly believed is shut out? To such a case we must needs answer, as an Irish Catholic priest once answered when hard pressed by Sydney Smith, "Ah, Mr. Smith, you have such a way of putting things!" Such an instance of exclusion would unquestionably be deemed unjust and oppressive; and it would be likely to lead to a change of the law, if it occurred in the course of a trial which awakened a strong and widely-diffused interest. But the answer to an argument so put is, that this combination of the highest moral qualities with utter religious unbelief is unnatural, improbable, almost monstrous; it is not observed in real life, any more than it would be anticipated from a study of the laws of the human mind. In general,

the want of religious faith which excludes a witness is accompanied with that coarseness of mind, lawlessness of life, and recklessness in speech, which directly affects his credibility, and would make his testimony of little value to the party offering it, even if it were received.

Our own views of the question may be thus stated. We do not believe that the interests of religion would suffer by allowing the atheist to testify, and should contemplate without uneasiness, and indeed acquiesce in, such a modification of the law as Judge Appleton so earnestly favors; while, on the other hand, being persuaded that, practically, the question is one of little importance, we cannot feel that there is any urgent call for such a modification, and are content to leave the rule as it now stands.

Judge Appleton, in his ninth chapter, treats of the rule by which husband and wife are not allowed to give evidence for or against each other; and in his tenth, he discusses the policy of the provision which forbids attorneys from revealing communications made to them by their clients. Consistent in the application of his principles of reform, he denies the wisdom and the policy of the exclusion in both cases. He maintains his views with eloquence, ingenuity, and acuteness; we follow him in his reasonings and illustrations with ample recognition of the ability with which they are presented; but we cannot give our unhesitating assent to his conclusions. The harmony of domestic life, and the unreserved freedom of communication between counsel and client, are matters of primal importance in the organization of society and the conduct of life; quite as much so as the right and the power to command the whole truth, from every possible source, in the trial of a particular issue. If a man has won his cause by the testimony of a wife given against her husband, and if in consequence thereof the husband and wife have become permanently alienated, has society, the aggregate of humanity, been on the whole a gainer or a loser? We see no objection to the statute provision of the State of Maine, that, in the trial of civil causes, the husband and wife of either party shall be deemed competent witnesses, when the wife is called to testify by or with the consent of her husband, and the husband by or with the con-

sent of his wife; but further than this we should not be inclined to go.

But a full discussion of the relations of husband and wife, and counsel and client, in their influence upon the rules of evidence, would suit only the pages of a purely professional journal; indeed, we fear that we may have already given our readers too deep a draught from those legal fountains to which one is drawn by acquired tastes alone. We will tax their patience no further.

Judge Appleton is fortunate, beyond the common lot of reformers, in having lived to see many of the changes to which he gave his hand in early life adopted and acquiesced in by communities which would have resolutely rejected them when they were first offered. His earliest essays on the subject were published in 1830; and Lord Brougham's celebrated speech on Law Reform was pronounced in February, 1828,—a speech of which we may say that it shows an honest desire to improve the law, accompanied by an equally honest desire that the services of the reformer should be appreciated at their full value; a remark which may be extended to all that his Lordship has spoken or written against African slavery, or on behalf of popular education, of Catholic emancipation, and Parliamentary reform. In that speech, besides some less important changes, he expressed himself in favor of admitting parties to testify, and of abolishing the rule excluding witnesses on the ground of interest. Both these modifications of the common law have been made in England since the date of that speech, by virtue of various statutes. As the law now stands, parties are allowed to testify; neither interest nor crime excludes a witness; and the husband or wife of a party for or against whom an action is brought, is made admissible in all cases, and before all tribunals, except in criminal proceedings, or proceedings instituted in consequence of adultery; but neither can be compelled to disclose the conversation of the other during marriage.

In these legal reforms England led the way, and at this moment stands much in advance of the greater part of our own country, in which one would naturally look for a readier disposition to change, as the following brief abstract of the modifications of the common-law rules established by statute will show.

The States in which parties are admitted to testify on their own behalf are Maine, Massachusetts, Rhode Island, Connecticut, and New York. The States in which interest in the event of a suit does not exclude a witness are Maine, Massachusetts, Rhode Island, Connecticut, New York, Wisconsin, Indiana, Ohio, California, and Alabama. The States in which the rule excluding witnesses on account of religious disbelief has been modified to a greater or less degree are Maine, New Hampshire, Massachusetts, Connecticut, New York, Indiana, California, and Georgia. The States in which conviction of crime affects credibility, and not competency, are Massachusetts, Connecticut, Indiana, and Ohio. The common-law rule has been modified in Maine and New York, and perhaps in other States.

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- ART. X.—1. *Ninety Days' Worth of Europe.* By EDWARD E. HALE. Boston : Walker, Wise, & Co. 1861.  
2. *Notes of Travel and Study in Italy.* By CHARLES ELIOT NORTON. Boston : Ticknor and Fields. 1860.

WE cannot join in Mr. Hale's general contempt for books of travel ; for we hold it to be the duty of an educated traveller, both to his friends and the public, to give them the results of his observation. Each sees the wonderful conglomerate, termed Europe, from a different point of view. Each tourist, so far as he relates his genuine experience, opens a window that looks out upon a different landscape, though he may go over only the beaten and well-trodden path so familiar now to every reading American. And those first experiences are what we want. The traveller cannot, after a little interval, recall any but the most general impressions. He is glad to recur to his own journal and letters, even to remind him of the route which he took, and of the various dates, names of places, and minute objects of interest, which at the time seemed so fresh and remarkable that he considered them as forever imprinted upon his memory. Every one wishes to hear his friend discourse upon his travels abroad. If he has already taken